

REMARKS

Examination of the above-identified application in view of this Preliminary Amendment is requested. By the present amendment, new claims 19 and 20 have been added. Claims 1-20 are pending in the application.

New claim 19 is claim 15 rewritten in independent form and is therefore allowable, as indicated in the Official Action. New claim 20 includes the features recited in claim 8, which was indicated in the Official Action as being allowable. Therefore, allowance of new claims 19 and 20 is respectfully requested.

Claims 1-4, 6, 7, 10, 12-14, and 16-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by US 6,364,349 B1 to Kutchev et. al. (hereinafter referred to as "Kutchev"). For the reasons set forth below, Applicants respectfully disagree with this rejection.

Anticipation requires a single prior art reference that discloses each element of the claim. W.L. Gore & Associates v. Garlock, Inc., 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983), cert. denied 469 U.S. 851 (1984). There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. Scripps Clinic & Research Foundation v. Genentech Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991). "The identical invention must be shown in as complete detail as is contained in the ... claim". Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Kutchey does not disclose each element recited in the rejected claims. Regarding claim 1, Kutchey does not disclose a bracket comprising a fill tube support portion connectable with the fill tube, a connecting portion connectable with the vehicle, and a deployment portion for directing the inflatable curtain to deploy inboard of a vehicle trim piece. Kutchey explicitly discloses an inflatable curtain (14), fill tube (22), and housing (26) that are secured to the vehicle by means, such as brackets, which are not shown in the figures. (see column 2, lines 47-49). Kutchey provides no further description of the means or any brackets. According to the present invention, the bracket itself includes the deployment portion for directing the curtain to inflate inboard of the trim piece. The bracket, and thus the deployment portion, are separate from the cover, which allows the cover to have a flexible fabric construction. Kutchey does not disclose the construction of the bracket and therefore does not disclose all of the elements recited in claim 1.

Regarding claim 2, Kutchey doesn't disclose a bracket as recited in claim 1 with a fill tube support portion that a curved configuration with first and second opposite ends, with a connecting portion extending transversely from the first end of the clamping portion and a deployment portion extending transversely from the second end of the clamping portion.

Regarding claim 3, Kutchey doesn't disclose a bracket as recited in claim 1 with a fill tube support portion that at least partially encircles a portion of the fill tube to connect the bracket to the fill tube.

Regarding claim 4, Kutchey doesn't disclose a bracket as recited in claim 1 with a fill tube support portion that has an inner surface with a cylindrical portion that mates with a cylindrical outer surface of said fill tube.

Regarding claim 6, Kutchey doesn't disclose a bracket as recited in claim 1 with a deployment portion that extends away from the side structure when the bracket is connected to the vehicle.

Regarding claim 7, Kutchey doesn't disclose a bracket as recited in claim 1 wherein the deployment portion defines a concave channel for receiving the inflatable curtain in a deflated and stored condition.

Regarding claim 10, Kutchey doesn't disclose a bracket as recited in claim 1 wherein the deployment portion comprises a first portion that extends along the side structure of the vehicle away from the vehicle roof and a second portion that extends transverse to the first portion away from the side structure and inboard in the vehicle.

Regarding claim 12, Kutchey doesn't disclose a bracket as recited in claim 1 wherein the deployment portion extends below the inflatable curtain when said inflatable curtain is in a stored and deflated condition.

Regarding claim 13, Kutchey doesn't disclose bracket for supporting a fill tube and an inflatable curtain adjacent a trim piece in a vehicle including a fill tube support portion connectable with the fill tube, a connecting portion connectable with the vehicle, and a deployment portion for directing the inflatable curtain to deploy inboard of the trim

piece. As set forth above in regard to claim 1, in Kutchey, the brackets are separate from the disclosed housing and are not shown in the figures. Kutchey provides absolutely no teaching that the brackets used to secure the inflatable curtain and fill tube in the vehicle include a deployment portion as recited in claim 13.

Regarding claim 14, Kutchey doesn't disclose a bracket as recited in claim 13 wherein the fill tube support portion has a curved configuration with first and second opposite ends, the connecting portion extending transversely from the first end of the clamping portion, the deployment portion extending transversely from the second end of the clamping portion.

Regarding claim 16, Kutchey doesn't disclose a bracket as recited in claim 13 wherein the deployment portion defines a concave channel for receiving the inflatable curtain in a deflated and stored condition.

Regarding claim 17, Kutchey doesn't disclose a bracket as recited in claim 13 wherein the deployment portion extends below the inflatable curtain when the inflatable curtain is in a stored and deflated condition.

Regarding claim 18, Kutchey doesn't disclose a bracket that connects the fill tube to the vehicle and that directs an inflatable curtain to deploy inboard of a vehicle trim piece.

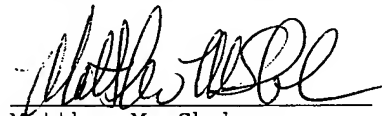
For the reasons set forth above, Applicants respectfully submit that the rejection of claims 1-4, 6, 7, 10, 12-14, and 16-18 under 35 U.S.C. §102(e) as being anticipated by US 6,364,349 B1 to Kutchey et al. should be withdrawn. Therefore, it is respectfully submitted that claims 1-18 are

in condition for allowance and allowance of claims 1-18 is respectfully requested.

In view of the foregoing, it is respectfully submitted that the above identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



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